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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|----------------------------------------------------------------------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/806,482 | 03/22/2004 | Brad Hammond | 18133-224CON | 2792 |
| 30623 | 7590 | 08/29/2005 | EXAMINER | |
| MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C. ONE FINANCIAL CENTER BOSTON, MA 02111 | | | CAO, CHUN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2115 | |

DATE MAILED: 08/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/806,482

Applicant(s)

HAMMOND ET AL.

Examiner

Chun Cao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21 and 22 is/are allowed.
- 6) ☒ Claim(s) 23-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

FINAL REJECTION

1. Claims 1-47 are presented for examination. Claims 1-20 are canceled. Claims 21-47 are presented for examination.
2. The text of those applicable section of Title 35, U.S. Code not included in this action can be found in the prior Office Action.
3. Claims 23-47 are rejected under 35 U.S.C. 102(a) as being anticipated by Anderson et al. (Anderson), US patent no. 5,961,604.

As per claim 23, Anderson teaches a method of managing a plurality of uninterruptible power supply systems, the uninterruptible power supply systems being coupled to an interruptible power supply manager computer [38, figs. 2, 3, 11] via a computer network [fig. 1, fig. 11; col. 6, lines 24-40], the manager computer being further coupled to a plurality of user computers [fig. 11], the method of managing the plurality of uninterruptible power supply systems [28, figures 2, 3; col. 1, lines 19-20; col. 2, lines 32-33, 37-41] comprising:

establishing at least one communication link between the user computers and the manager computer fig. 11; col. 6, lines 24-40, 65-67];

monitoring the uninterruptible power supply systems [col. 4, lines 43-53; col. 5, lines 14-19]; and

Aggregating and storing uninterruptible power supply system information, including at least of inventory information and status information, from the uninterruptible power supply systems in the manager computer [col. 4, lines 21-42; col. 5, lines 32-38; col. 6, lines 2-6, 24-40, 65-67]

As per claim 24, Anderson teaches of configuring and arranging at least a subset of the aggregated uninterruptible power supply system information stored in the manager computer to provide a plurality of reports [col. 5, lines 10-19, 32-38; col. 6, lines 2-6].

As per claim 25, Anderson teaches that the plurality of reports includes inventory reports [col. 4, lines 44-53; col. 5, lines 10-19, 32-38; col. 6, lines 2-6].

As per claim 26, Anderson teaches that the plurality of reports includes battery status reports [col. 4, lines 44-53; col. 5, lines 10-19, 32-38; col. 6, lines 2-6].

As per claim 27, Anderson teaches of storing the information in a database in the manager computer [col. 5, lines 10-19, 32-38; col. 6, lines 2-6].

As per claim 28, Anderson teaches of sending at least a portion of the interruptible power supply system information toward at least one of the user computers [fig. 11; col. 4, lines 21-42; col. 5, lines 32-38; col. 6, lines 2-6, 24-40, 65-67].

As per claim 29, Anderson teaches of receiving at least one identification, the at least one identification corresponding to the at least one of the uninterruptible power supply systems toward which the uninterruptible power supply system information is sent [col. 4, lines 21-42; col. 5, lines 32-38; col. 6, lines 2-6, 24-40, 65-67].

As to claims 30 and 31, Anderson inherently teaches of limiting attempts to communicate with the uninterruptible power supply systems and specifying at least one of a timeout limit and retry limit [col. 5, lines 7-28].

As per claim 32, Anderson teaches of receiving a request for the manager computer to provide the user computer with at least one of an interruptible power supply

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system status web page and a main menu [figures 7, 8; col. 4, lines 58-67; col. 5, lines 7-28].

Regarding claims 33-38, these claims are directed to method steps for controlling the data transmission via a network of claim 23. As stated above, Anderson teaches the invention substantially as set forth in claim 23. At the time of the invention, one of ordinary skill in the art would have readily recognized that Anderson may obviously also teach the method steps as set forth in 33-38. As such, claims 33-38 are rejected under the same rationale with respect to claim 23 [col. 3, line 47-col. 4, line 9; col. 5, lines 13-19].

As to claims 39-47 basically are the corresponding elements that are carried out the method of operating steps in claims 23-38. Accordingly, claims 39-47 are rejected for the same reason as set forth in claims 23-38.

4. Applicant's arguments filed on 6/14/05, which have been fully considered but they are not persuasive.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao whose telephone number is 571-272-3664. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



CHUN CAO

Aug. 23, 2005